

In the United States District Court
For the Western District of Texas
Pecos Division

TWO RIVERS PIPELINE &
CONSTRUCTION COMPANY, INC.,
Plaintiff,

v.

CIMAREX ENERGY CO. AND
RESOLUTE NATURAL RESOURCES
COMPANY, LLC,
Defendant.

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Case No. 4:19-cv-00049

DEFENDANTS' NOTICE OF REMOVAL

COMES NOW Defendants Cimarex Energy Co. ("Cimarex") and Resolute Natural Resources Company, LLC ("Resolute") (together, "Defendants") in the above-entitled cause, and hereby files their Notice of Removal, and in support of same would respectfully show the Court the following:

GROUND FOR REMOVAL

On July 23, 2019, Plaintiff Two Rivers Pipeline & Construction Company, Inc. ("Plaintiff") filed suit against Cimarex in the 143rd Judicial District of Reeves County, Texas, under Cause No. 19-07-23053-CVR (the "State Court Action"). Plaintiff's petition alleges breach of contract.

Cimarex was served with Plaintiff's Original Petition on July 26, 2019. Cimarex timely filed its Answer and Counterclaim in the State Court Action on August 19, 2019. Plaintiff recently added Resolute in its Amended Petition, filed on August 16, 2019.

Defendants file this Notice of Removal within 30 days of receipt of the Original Petition indicating removal was proper.

There is complete diversity of citizenship between Plaintiff and both Defendants. Plaintiff is a Texas corporation with its principal place of business in the State of Texas. Defendant Cimarex is a Delaware corporation with its principal place of business in the State of Colorado. Defendant Resolute is a Delaware limited liability company with its principal place of business in the State of Colorado.

The amount in controversy exceeds \$75,000.

Because there is complete diversity of citizenship and a sufficient amount in controversy to confer jurisdiction on the Court, this action may be removed pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

ATTACHED DOCUMENTS

Pursuant to 28 U.S.C. § 1446(a), Defendants attach to this Notice of Removal as Exhibit A, an index of documents, a copy of the State District Court's docket sheet, and a copy of all process, pleadings, and orders served upon Defendants in the State District Court.

Defendants have filed a civil coversheet contemporaneously with filing this Notice of Removal.

Defendants have contemporaneously filed a copy of this Notice of Removal with the Clerk of the State Court in which this action is pending, pursuant to 28 U.S.C. § 1446(d).

JURY DEMAND

Defendants demand trial by jury.

WHEREFORE PREMISES CONSIDERED, Defendants pray that that above-styled case be removed from the 143rd Judicial District Court of Reeves County, Texas to this, the United States District Court for the Western District of Texas, Pecos Division. Defendants further pray for such other and further relief to which they may show themselves entitled.

Respectfully submitted:

/s/ Joe T. Sanders, II

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Attorneys for Defendants

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing document was served this 23rd day of August 2019, pursuant to the Federal Rules of Civil Procedure.

Via E-Service

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